

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE JOHNSON & JOHNSON  
TALCUM POWDER PRODUCTS  
MARKETING, SALES PRACTICES,  
AND PRODUCTS LIABILITY  
LITIGATION

MDL NO. 16-2738 (FLW) (LGH)

*THIS DOCUMENT RELATES TO ALL CASES*

**PLAINTIFFS' SECOND AMENDED CROSS NOTICE OF  
TAKING ORAL DEPOSITION OF KATHLEEN WILLE**

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that pursuant to the Federal Rules of Civil Procedure, Plaintiffs, by and through the undersigned counsel, hereby cross-notice the videotaped deposition upon oral examination of Kathleen Wille in the above-referenced matter. A copy of the second amended deposition notice is attached as Exhibit A.

Plaintiffs reserve the right to take a supplemental (non-duplicative) deposition of Kathleen Wille as may be needed based upon the production of documents and other discovery to occur subsequent to the presently scheduled deposition.

The deposition will take place before a person authorized to administer oaths and will continue until completed at the following time:

**March 30, 2021, at 10:00 a.m. (EST) via ZOOM.**

The deposition will be videotaped before a certified court reporter and may be used for the purposes of discovery or for use by Plaintiff as evidence at trial, both. You are invited to appear and take part in the examination as you deem appropriate.

Dated: March 15, 2021

Respectfully submitted,

/s/ Michelle A. Parfitt  
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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that on March 15, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

/s/ P. Leigh O'Dell  
P. LEIGH O'DELL  
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ATTORNEY FOR PLAINTIFFS

# Exhibit A

IN THE CIRCUIT COURT OF THE 17<sup>th</sup> JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

BETTY FITZHUGH,

*Plaintiff,*

v.

JOHNSON & JOHNSON, INC.;  
JOHNSON & JOHNSON CONSUMER,  
INC. f/k/a JOHNSON & JOHNSON  
CONSUMER COMPANIES, INC.;  
IMERYS TALC AMERICA, INC., f/k/a  
LUZENAC AMERICA, INC., f/k/a RIO  
TINTO MINERALS, INC.; PTI UNION,  
LLC; PTI ROYSTON, LLC;  
BROADVIEW INVESTMENTS, LLC;  
and PUBLIX SUPER MARKETS, INC.,

*Defendants.*

Case No.: CACE-19-001150

**PLAINTIFF'S SECOND AMENDED NOTICE OF TAKING ORAL AND  
VIDEOTAPED DEPOSITION OF KATHLEEN WILLE *DUCES TECUM***

PLEASE TAKE NOTICE that, pursuant to the Florida Rules of Civil Procedure, Plaintiff, by her undersigned attorneys, will take the videotaped deposition by oral examination of Kathleen Wille. The deposition which shall be taken by stenographic means before a certified court reporter or other person authorized to administer oaths will commence on **March 30, 2021 at 10:00 a.m.**, EST via ZOOM video conference, or at another location as agreed upon by all parties, and will continue from day to day until completed. The deposition will be taken before Golkow Reporting, or some other officer authorized to take depositions. This deposition is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the rules of the Court.

The witness is requested to produce true, correct and complete copies of all documents,

materials and information listed in **Schedule A**, no later than two (2) weeks prior to the deposition.

DATED: March 10, 2021

Respectfully Submitted,

/s/ David P. Dearing  
David P. Dearing, Esq.  
Florida Bar No. 885673  
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**CERTIFICATE OF SERVICE**

**WE HEREBY CERTIFY** that on this 10<sup>th</sup> day of March, 2021, we electronically filed the foregoing via the Florida Courts e-Filing Portal which will serve a true and correct copy to the email addresses listed on the attached service list.

/s/ David P. Dearing  
DAVID P. DEARING

**SCHEDULE "A"**  
**Duces Tecum**

The deponent is hereby directed to produce true, correct and complete copies of all documents, materials and information listed below:

**DEFINITIONS:**

The term "document(s)" means and refers to all forms of writings and records, and includes any reduction to tangible form, including computer or magnetic memory or storage, or any other electronically stored information, communication, or data, including any written, recorded, or filmed graphic matter of any kind or nature, however produced or reproduced, including originals, drafts, and non-identical copies, wherever located including, but not limited to, documents and records held or stored on hospital servers, databases, networks, shared networks, local and remote drives, and local and remote drives of individuals.

**DOCUMENTS REQUESTED:**

1. A copy of the witness's current or most recent resume or curriculum vitae.
2. The witness's complete personnel file, including but not limited to, any and all performance reviews and personnel records that relate or refer to the witness's work on Johnson's Baby Powder and any other talcum powder products.
3. Any and all documents pertaining to the witness's compensation while employed by Johnson and Johnson or any of its subsidiary companies.
4. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the presence of asbestos in Johnson's Baby Powder, Shower to Shower, or other talcum powder products.
5. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between talc and ovarian cancer.
6. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between Johnson's Baby Powder, Shower to Shower, or other talcum powder products and ovarian cancer.

7. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between asbestos and ovarian cancer.
8. Any documents reflecting communications with J&J, including its lawyers regarding talcum powder products.
9. Any communications with Susan Nicholson, since leaving J&J.
10. Any and all documents which refer or relate to any of the following people or entities relating to talcum powder products:
  - a. Imerys or any of its predecessor companies including Rio Tinto and Luzenac
  - b. Crowell and Moring, including Ridgeway Hall
  - c. Robert Glenn
  - d. Meta-Analysis Research Group,
  - e. Joshua Muscat MD
  - f. Michael Huncharek, MD
  - g. Brooke Mossman, PhD
11. Any and all documents relating to IARC's consideration of talc as a human carcinogen.
12. All communication with the FDA concerning Johnson's talcum powder products.
13. All communications with or about Rich Zazenski relating to talcum powder products.
14. All communications with or about John Hopkins relating to talcum powder product.
15. All communications with or about Center for Regulatory Effectiveness (CRE), Multinational Business Services (MBS), Multinational Legal Services (MLS), Bill Kelly, Jim Tozzi, or Alfred Wehner relating to talcum powder products.